

PB# 89-20

Dunkin Donuts

Dunkin Donuts Site Plan 83-20

Approved 7/13/83 ph.
 Paid fees 7/17/83 ph
 filed with Town Clerks office
 7/20/83 ph.

TOWN OF NEW WINDSOR		General Receipt		5206
555 Union Avenue New Windsor, N. Y. 12550				May 25 19 83
Received of <u>Steve Prekas</u>				\$ <u>25.00</u>
		<u>Twenty Five and 00/100</u>		DOLLARS
For <u>Application fee 83-20</u>				
DISTRIBUTION				
FUND	CODE	AMOUNT		
<u>25.00</u>	<u>Check</u>			
<u># 1469</u>				
		By <u>Pauline H. Townsend</u>		
		<u>Town Clerk</u>		
		Title		

TOWN OF NEW WINDSOR		General Receipt		5279
555 Union Avenue New Windsor, N. Y. 12550				July 20 19 83
Received of <u>Dunkin' Donuts (Steve Prekas)</u>				<u>75.00</u>
		<u>Seventy Five</u>		DOLLARS
For <u>Balance Site Plan fee</u>				
DISTRIBUTION				
FUND	CODE	AMOUNT		
<u>ck # 1499</u>		<u>75.00</u>		
		By <u>Pauline H. Townsend</u>		
		<u>Town Clerk</u>		
		Title		

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, New York 12550

(This is a two-sided form)

83-20

Date Received 5/11/83
Meeting Date _____
Public Hearing _____
Action Date approved 7/13/83
Fees Paid _____

APPLICATION FOR SITE PLAN APPROVAL

1. Name of Project Dunkin Donuts
2. Name of applicant Steve Prekas Phone 562-4720
Address 674 Broadway, Newburgh, NY 12550
(Street No. & Name) (Post Office) (State) (Zip Code)
3. Owner of record same as applicant Phone _____
Address _____
(Street No. & Name) (Post Office) (State) (Zip Code)
4. Name of person preparing plan McGoey, Hauser and Grevas Phone 562-8640
Address 45 Quassaick Avenue, New Windsor, NY 12550
(Street No. & Name) (Post Office) (State) (Zip Code)
5. Attorney Peter C. Patsalos Phone 565-4480
Address 346 Broadway, Newburgh, NY 12550
(Street No. & Name) (Post Office) (State) (Zip Code)
6. Location: On the North side of Route 94
(Street)
at intersection with Freedom Road: Vails Gate
feet (direction)
of _____
(Street)
7. Acreage of parcel 13,136 ± s.f.
8. Zoning district C (Design Shopping)
9. Tax map designation: Section 69 Block 1 Lot(s) 11
10. This application is for the use and construction of a Dunkin Donuts Restaurant
11. Has the Zoning Board of Appeals granted any variance or special permit concerning this property? Yes If so, list case No. and Name 78-6
Nicholas C. Marshall
12. List all contiguous holdings in the same ownership
Section _____ Block _____ Lot(s) _____

FOR OFFICE USE ONLY:

Schedule _____ Column _____ Number _____

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION, CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

11th day of May, 1983

Steve Prekas
Applicant's Signature

Ruth J. Eaton
Notary Public, State of New York
Qualified in Orange County
Notary Public Commission Expires March 30, 1984
Reg. No. 4673512

OWNER
Title

OWNER'S ENDORSEMENT

(Completion required ONLY if applicable)

COUNTY OF ORANGE }
STATE OF NEW YORK } SS.:

Steve Prekas being duly sworn, deposes and says that he resides
in the
county of Orange (Owner's Address) and State of New York

and that he is (the owner in fee) of (Official Title) of the

~~corporation which is the owner in fee~~ of the premises described in the foregoing application
and that he has authorized McGoey, Hauser and Grevas to make the foregoing application for special use approval as described herein.

Sworn before me this.

day of , 198

(Owner's Signature)

Notary Public



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK
(914) 565-8550

Planning Bd.
Received
7/12/83
ph

Date: July 12, 1983

Steve Prekas
3 Warden Circle
Newburgh, N. Y. 12550

Elias Grevas, L. S.
McGoey, Hauser & Grevas
45 Quassaick Avenue
New Windsor, N.Y. 12550

RE: APPLICATION BEFORE ZONING BOARD OF APPEALS
83-26 - PREKAS (DUNKIN DONUTS)

Dear Sirs:

This is to confirm that your above application before the
New Windsor Zoning Board of Appeals was Granted
at a meeting held on the 11th day of July, 1983.

A formal decision will be drafted and acted upon at a later
date. You will be receiving a copy of same by return mail.

Meanwhile, if you have any further questions, please do not
hesitate to call me.

Yours very truly,

Patricia Delio

PATRICIA DELIO, Secretary
New Windsor Zoning Board of Appeals

/pd

cc: Patrick Kennedy, Bldg/Zoning Inspector
Town Planning Board

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD
FROM: ZONING BOARD OF APPEALS
SUBJECT: PUBLIC HEARINGS - Date: July 11, 1983
DATE: July 5, 1983

Please be advised that the following is a schedule of public hearings to be heard before the Zoning Board of Appeals on the above date:

Application for Use Variance - ODIS MORRIS

Application for Area/Sign - STEVE PREKAS (DUNKIN
DONUTS)

I have attached hereto copies of the pertinent application(s) together with public hearing notice(s).

Pat

/pd

Attachments

cc: Town Building/Zoning Officer Kennedy

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

82-20.

Date: _____

I. Applicant Information:

- (a) ODIS MORRIS 76 MEIROSE AVE. 561-7708
(Name, address and phone of Applicant) (Owner)
(b) DEBRA MORRIS 76 MEIROSE AVE. 561-7708
(Name, address and phone of purchaser or lessee)
(c) _____
(Name, address and phone of attorney)
(d) _____
(Name, address and phone of broker)

II. Application type:

- ☒ Use Variance ☐ Sign Variance
☐ Area Variance ☐ Special Permit

III. ✓ Property Information:

- (a) R-4A 76 MEIROSE AVE 15-7-5 160' x 80' ±
(Zone) (Address) (S B L) (Lot size)
(b) What other zones lie within 500 ft.?
(c) Is a pending sale or lease subject to ZBA approval of this application? NO
(d) When was property purchased by present owner? 9/78
(e) Has property been subdivided previously? N/O When? -
(f) Has property been subject of variance or special permit previously? no When? -
(g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? N/O
(h) Is there any outside storage at the property now or is any proposed? Describe in detail: no

IV. ✓ Use Variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section 48-9, Table of Use Regs., Col. A, to allow:
(Describe proposal) beauty shop in basement of residence

- (b)✓ The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

Area is saturated with commercial operations,
this is not truly a residential zone.
Business proposal is contiguous with others in this
area.

V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd. <u>1</u>	<u>1</u>	<u>1</u>
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio**		

* Residential Districts only

** Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

	Requirements	Proposed or Available	Variance Request
Sign 1			
Sign 2			
Sign 3			
Sign 4			
Sign 5			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Special Permit:

- (a) Special Permit requested under New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.
- (b) Describe in detail the use and structures proposed for the special permit.

VIII. ☒ Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

no outside structural changes. Small sign
in conformance w/ zoning laws will be placed
on front portion of property. Parking will be
in double driveway. Plenty of off-street parking.

IX. Attachments required:

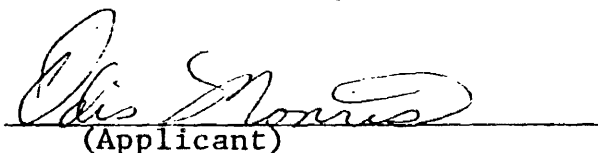
- ☒ Copy of letter of referral from Bldg./Zoning Inspector.
- ☒ Copy of tax map showing adjacent properties.
- ☒ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ☒ Copy(ies) of sign(s) with dimensions.
- ☒ Check in the amount of \$ 50.00 payable to TOWN OF NEW WINDSOR.
- ☒ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date 6/16/83

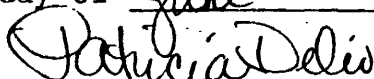
STATE OF NEW YORK)
COUNTY OF ORANGE) SS.: 408-62-8877

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.


(Applicant)

Sworn to before me this

16th day of June, 1983.



PATRICIA DELIO
Notary Public, State of New York
Appointed in Orange County
My Commission expires Mar. 30, 1985.

XI. ZBA Action:

- (a) Public Hearing date _____
- (b) Variance is _____
Special Permit is _____
- (c) Conditions and safeguards: _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

73-26

Date: 28 June 1983

I. Applicant Information:

- (a) Steve Prekas, 674 Bway, Newburgh, NY (914) 562-8640 same
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) Peter C. Patsalos, 346 Broadway, Newburgh, NY (14) 562-8640
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- ☐ Use Variance ☒ Sign Variance
- ☒ Area Variance ☐ Special Permit

III. Property Information:

- (a) C Rte 94 @ Temple Hill Rd; Vails Gate 69 1 11 13,136 sf
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? none
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? 30 March 1979
- (e) Has property been subdivided previously? When?
- (f) Has property been subject of variance or special permit previously? Yes When? 1979
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail No, except for dempster

IV. Use Variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____
- _____
- _____

- (b) The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Part II Regs., Col. 4,5,6,7,8 and 10.

Requirements	Proposed or Available	Variance Request
Min. Lot Area 40,000 sf	13,136 sf	13,136 sf
Min. Lot Width 200'	100'-150'	100'-150'
Reqd. Front Yd. 60'	35'-69'	35'-69'
Reqd. Side Yd. 30' / 70'	0'-33' / 46'-79'	0'-33' / 46'-79'
Reqd. Rear Yd. 30'	4'	4'
Reqd. Street Frontage*		
Max. Bldg. Hgt. 4"/ft. to lot line	16'	16'
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio** 0.5	0.12	

* Residential Districts only

** Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

Property is less than required area; Setback and parking requirements limit available building location; In order to maximize use of property, and provide a workable traffic pattern, the area variances are necessary.

VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section 48'9, Table of Use Regs., Col. D.

	Requirements	Proposed or Available	Variance Request
Sign 1	10 s.f.	72 s.f. (DBI Face)	62 s.f. (Illuminated Pylon)
Sign 2	2.0 s.f.	4.5 s.f.	2.5 s.f. (Illum. Directional)
Sign 3	2.0 s.f.	4.5 s.f.	2.5 s.f. (Illum. Directional)
Sign 4		4.5 s.f.	4.5 s.f. (Illum. Directional)
Sign 5		4.5 s.f.	4.5 s.f. (Illum. Directional)
Total	14 sq. ft.	90 sq. ft.	76 sq. ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

Sign 1 is an interior-illuminated pylon sign; 18' high, double faced. Signs 2,3,4 and 5 are interior-illuminated directional signs at entrances/exits, 5'-6" high (to top).

Another sign is to be attached to the building, 40.s.f. in area, on the southeast face; and another sign on the northeast face 40 s.f. in area. Maximum permitted 50 s.f. variance request 30 s.f.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

170 s.f.

VII. Special Permit:

- (a) Special Permit requested under New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

- (b) Describe in detail the use and structures proposed for the special permit.

VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Please see attached Plan, which provides for landscaping items,
curbs, etc.

IX. Attachments required:

- ____ Copy of letter of referral from Bldg./Zoning Inspector.
____ Copy of tax map showing adjacent properties.
____ Copy of contract of sale, lease or franchise agreement.
____ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
____ Copy(ies) of sign(s) with dimensions.
____ Check in the amount of \$ _____ payable to TOWN OF NEW WINDSOR.
____ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT.

Date 28 June 1983

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The Undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Shura Puker
(Applicant)

Sworn to before me this

29th day of June, 1983.

Ruth J. Eaton

RUTH J. EATON

Notary Public, State of New York

Qualified in Orange County

Commission Expires March 30, 1984

Reg. No. 4673512

XI. ZBA Action:

(a) Public Hearing date _____

(b) Variance is _____

(c) Special Permit is _____

(d) Conditions and safeguards _____

